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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

September 28, 2005

The Honorable Michael Leavitt
Secretary
Department of Health and Human Services
200 Independence Ave. SW
Washington, DC 20201

Dear Mr. Secretary:

Pursuant to its authority under Rule XXV(k)(1) of the Standing Rules of the Senate, Section 101 of S. Res 445 (108th Congress), and Section 11(e) of S. Res 50 (109th Congress), the Committee on Homeland Security and Governmental Affairs has initiated an investigation into the Nation's preparedness for, and response to, Hurricane Katrina. To aid in the investigation, we request that you provide the committee (in accordance with the attached instructions and definitions) the following documents and information:

(1) Describe each of the Department's roles, responsibilities and authorities in providing any Emergency Support Function (ESF) under the National Response Plan. With respect to each specific role, responsibility or authority, please identify:

- (A) the statutory, regulatory or other source for that role, responsibility or authority;
- (B) the component or components within the Department involved in acting pursuant to that authority or discharging that role or responsibility; and
- (C) the key personnel involved in acting pursuant to that authority or discharging that role and responsibility.

(2) To the extent not provided in response to the previous question, please describe any other roles, responsibilities and authorities of the Department in preparing for and responding to an emergency and/or catastrophic incident. With respect to each specific role, responsibility or authority, please identify:

- (A) the statutory, regulatory or other source for that role, responsibility or authority;
- (B) the component or components within the Department involved in acting pursuant to that authority or discharging that role or responsibility;
- (C) the key personnel involved in acting pursuant to that authority or discharging that role or responsibility;

(3) Identify the organizations or entities within the Department that are responsible for

identifying natural threats, such as hurricanes, terrorist threats, disease, or other potential emergencies, and notifying Department management of such threats and emergencies, and the key personnel involved in this activity.

- (4) Provide organizational charts for the Department and those entities responsible for emergency preparedness and response roles, authorities or responsibilities identified in your response to items (1) or (2). Please identify the personnel holding key positions in the organizational charts.
- (5) Provide copies of all emergency, contingency or other plans in effect as of August 23, 2005, for the Department, all Department elements and Gulf Coast regional offices and facilities thereof for near-term preparation for, and response to, emergencies and catastrophic incidents, including, but not limited to, Incidents of National Significance pursuant to the National Response Plan, Public Health Emergencies pursuant to the Public Health Services Act, and Emergency or Major Disaster Declarations pursuant to the Stafford Act.
- (6) Identify and provide copies of all after-action reports or other assessments prepared over the past five years under the direction of, or under contract through, the Department assessing the performance of the Department, and its elements, personnel, or programs in response to emergencies and catastrophic incidents or exercises related to preparation for such emergencies, including, but not limited to, previous hurricanes.
- (7) Describe in detail (including specific dates, times, and the personnel involved) how and when the Department was first informed of the following events:
 - (A) that it would need to prepare for Hurricane Katrina;
 - (B) that the President issued emergency declarations for Louisiana, Mississippi and Alabama with respect to Hurricane Katrina;
 - (C) that the President issued major disaster declarations for Louisiana, Mississippi and Alabama with respect to Hurricane Katrina;
 - (D) that Hurricane Katrina was an Incident of National Significance; and
 - (E) that the National Response Plan was activated.
- (8) Describe the command structure the agency established and subsequently utilized to prepare for and respond to Hurricane Katrina. Please include all headquarters and field offices in your description, including, but not limited to, the Office of the Secretary, the Secretary's Operations Center, the Secretary's Emergency Response Team, the Office of the Assistant Secretary for Public Health Emergency Preparedness, the emergency command structures and centers of the Department's operational divisions (e.g., Centers for Disease Control). Please identify key personnel at each level of the command structure and describe their responsibilities. Please note whether the structure or personnel changed during the course of the Department preparation and response for Hurricane Katrina.

(9) Describe how the electronic incident management system, which inventories ongoing operations (including tracking of personnel and materials) and is used by the Secretary's Operations Center, was used to track the Department's response to Hurricane Katrina and the types of data that can be retrieved from the system.

(10) With respect to each authority, role or responsibility identified in response to item (1) or (2), describe how the authority was utilized or the role or responsibility was discharged in preparation for, and response to, Hurricane Katrina. Please be specific as to the personnel involved and the dates activities occurred.

(11) Provide copies of all communications related to actions taken by the Department to prepare for Hurricane Katrina, including, but not limited to, all records or logs of such communications, beginning on August 23, 2005, and continuing through landfall on the Gulf Coast, pursuant to the National Response Plan, the Public Health Services Act or other organic authorities, and describe each action, including:

- (A) the date and time such action was taken;
- (B) the action taken;
- (C) if made at the request of another federal agency, identify that agency and the specific organization and individual who lodged the request;
- (D) the organization and individual within the Department responsible; and
- (E) the legal authority under which the action was taken if other than a request by FEMA pursuant to the National Response Plan.

(12) Provide copies of all communications, including, but not limited to, all records or logs of such communications, related to all requests for assistance the Department received, requests for assistance the Department initiated, or any other action initiated by the Department to render assistance or to perform response, recovery, or medical care missions to respond to Hurricane Katrina pursuant to the National Response Plan, the Public Health Services Act or other organic authorities, and describe each such request or action, including:

- (A) the date and time it was received or initiated;
- (B) the organization and individual who received or initiated it;
- (C) the organization and individual who lodged the request;
- (D) the assistance requested;
- (E) the Department's response to the request;
- (F) the date and time orders were issued to fulfill the request;
- (G) the date and time the aid was actually provided; and
- (H) the legal authority under which the action was taken if other than a request by FEMA pursuant to the National Response Plan.

(13) Identify and provide copies of all requests and grants for emergency preparedness funding and/or assistance received or provided by the Department over the past five years from the States

of Louisiana, Mississippi and Alabama or any counties, parishes, or localities thereof, as well as all annual plans, reports, evaluations received or prepared by the Department concerning these requests.

(14) Provide copies of all communications, including, but not limited to, all records or logs of such communications, related to the Department's primary federal responsibility under ESF No. 8 to direct, coordinate and integrate the federal medical response, including deployment of medical supplies, mobile care facilities and medical care personnel (both from within the Department (e.g., U.S. Public Health Service Commissioned Corps (USPHS)), and from supporting organizations (e.g., National Disaster Medical System (NDMS)) related to Hurricane Katrina, and describe the actions the Department took to fulfill this responsibility, including:

- (A) identification of the individuals and organizations within the Department responsible for these activities;
- (B) the medical supplies, mobile care facilities, and care personnel available for deployment and actually deployed, including:
 - (i) the quantity of equipment, facilities, personnel and teams deployed;
 - (ii) the date and time each deployment was requested by HHS,
 - (iii) the requesting official; and
 - (iv) the location and the duties to which they were assigned;
- (C) the process by which the Department determined what personnel and assets needed to be deployed; and
- (D) the chain of command established for the operational control of these activities.

(15) Provide copies of all communications, including, but not limited to, all records or logs of such communications, related to the Department's primary federal responsibility under ESF No. 8 to direct, coordinate and integrate the public health response to disasters, including deployment of public health personnel from within the CDC and U.S. Public Health Service Commissioned Corps related to Hurricane Katrina, and describe the actions the Department took to carry out this responsibility, including:

- (A) the number of personnel and teams deployed from each source, and the location and the duties to which they were assigned;
- (B) the date and time each deployment was requested by HHS;
- (C) the requesting official;
- (D) the process by which the Department determined what personnel and assets needed to be deployed in this event; and
- (E) the chain of command established for the operational control of these personnel.

(16) Under ESF No. 8, the Department has primary federal responsibility for patient evacuation. Describe these responsibilities as well as any other authority or responsibility (e.g., the Public Health Services Act) to assist in or perform patient evacuations in the case of an emergency or catastrophic incident such as Hurricane Katrina, including:

- (A) the individuals and organizations within the Department responsible for this activity;
- (B) the process by which the Department determines what personnel and assets needed to be deployed;
- (C) the assets that are available, both internally and externally, to carry out this function; and
- (D) the chain of command for the operational control of these activities.

(17) Provide copies of all communications, including, but not limited to, all records or logs of such communications, related to the evacuation of patients from hospitals, nursing homes and other medical facilities in New Orleans and other areas of the Gulf Coast, both before and after the hurricane struck, and describe the extent to which the Department assisted in or performed such evacuations, including:

- (A) the extent of utilization of the NDMS tracking system;
- (B) identification of the personnel and assets deployed for this purpose;
- (C) identification of the individuals and organizations within the Department responsible for this activity;
- (D) the process by which the Department determined what personnel and assets needed to be deployed in this event; and
- (E) the chain of command established for the operational control of these activities.

(18) Under ESF No. 8, the Department has primary federal responsibility for provision of mental health services through the Substance Abuse and Mental Health Services Administration (SAMHSA). Describe the Department's plans for providing mental health support to the public in times of disaster, including to minority communities.

(19) Describe the Department's provision of mental health services for those affected by Hurricane Katrina, including:

- (A) the number of mental health personnel and teams deployed;
- (B) the location and the duties to which they were assigned;
- (C) the date and time each deployment was requested by HHS;
- (D) the process by which the Department determined what personnel and assets needed to be deployed in this event;
- (E) the chain of command established for the operational control of these personnel; and
- (F) how the Department coordinated with local and other federal agencies to provide mental health services.

(20) Section 107 of the Public Health Security and Bioterrorism Act of 2002 (Public Law 107-188) required the Department to establish an emergency system for the advance registration of health profession volunteers (ESAR-VHPP). The Health Resources and Services

Administration (HRSA) is responsible for implementing this program. The Department also established an internet website where health professionals may volunteer to serve in hurricane relief efforts. Describe the extent to which these two systems were utilized to provide medical and health personnel to respond to Hurricane Katrina.

(21) Describe the actions taken to measure the quality of care administered by federal medical response personnel, or others operating under the purview of federal medical response personnel, in response to Hurricane Katrina.

(22) The CDC is the primary agency responsible for communicating information about the public's health. Describe CDC's plan for issuing health updates to partnering agencies and to the public during times of disaster generally, including to minority communities, and with regard to Hurricane Katrina specifically, including, but not limited to, the process by which CDC coordinated with local and other federal agencies to communicate public health information and the content of this information.

(23) Describe any and all actions taken by the Department to provide linguistically appropriate and culturally competent medical care to minority communities in response to Hurricane Katrina.

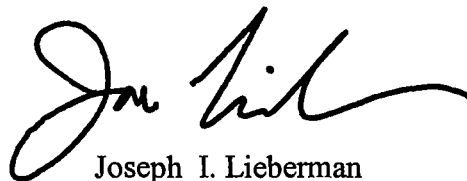
We request that these documents and information be provided as they become available but no later than October 27, 2005. If you or your staff have any questions concerning this request, please contact David Porter of the Committee's majority staff at 202-224-4751 or David Berick of the Committee's minority staff at 202-224-2627.

We thank you and your staff in advance for your cooperation.

Sincerely,



Susan M. Collins
Chairman



Joseph I. Lieberman
Ranking Member